

§ 21.19

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applicable to a specific type design, or such airworthiness criteria as the FAA may find provide an equivalent level of safety to those parts.

(c) An application for type certification of a transport category aircraft is effective for 5 years and an application for any other type certificate is effective for 3 years, unless an applicant shows at the time of application that his product requires a longer period of time for design, development, and testing, and the FAA approves a longer period.

(d) In a case where a type certificate has not been issued, or it is clear that a type certificate will not be issued, within the time limit established under paragraph (c) of this section, the applicant may—

(1) File a new application for a type certificate and comply with all the provisions of paragraph (a) of this section applicable to an original application; or

(2) File for an extension of the original application and comply with the applicable airworthiness requirements of this subchapter that were effective on a date, to be selected by the applicant, not earlier than the date which precedes the date of issue of the type certificate by the time limit established under paragraph (c) of this section for the original application.

(e) If an applicant elects to comply with an amendment to this subchapter that is effective after the filing of the application for a type certificate, he must also comply with any other amendment that the FAA finds is directly related.

(f) For primary category aircraft, the requirements are:

(1) The applicable airworthiness requirements contained in parts 23, 27, 31, 33, and 35 of this subchapter, or such other airworthiness criteria as the FAA may find appropriate and applicable to the specific design and intended use and provide a level of safety acceptable to the FAA.

(2) The noise standards of part 36 applicable to primary category aircraft.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21–19, 32 FR 17851, Dec. 13, 1967; Amdt. 21–24, 34 FR 364, Jan. 10, 1969; Amdt. 21–42, 40 FR 1033, Jan. 6, 1975; Amdt. 21–58, 50 FR 46877, Nov. 13, 1985; Amdt. 21–60, 52 FR 8042, Mar. 13, 1987; Amdt. 21–68, 55 FR 32860, Aug. 10, 1990; Amdt. 21–69, 56 FR 41051, Aug. 16, 1991; Amdt. 21–70, 57 FR 41367, Sept. 9, 1992; Amdt. 21–90, 72 FR 63404, Nov. 8, 2007]

§ 21.19 Changes requiring a new type certificate.

Each person who proposes to change a product must apply for a new type certificate if the FAA finds that the proposed change in design, power, thrust, or weight is so extensive that a substantially complete investigation of compliance with the applicable regulations is required.

[Doc. No. 28903, 65 FR 36265, June 7, 2000]

§ 21.20 Compliance with applicable requirements.

The applicant for a type certificate, including an amended or supplemental type certificate, must—

(a) Show compliance with all applicable requirements and must provide the FAA the means by which such compliance has been shown; and

(b) Provide a statement certifying that the applicant has complied with the applicable requirements.

[Doc. No. FAA–2006–25877, Amdt. 21–92, 74 FR 53385, Oct. 16, 2009]

§ 21.21 Issue of type certificate: normal, utility, acrobatic, commuter, and transport category aircraft; manned free balloons; special classes of aircraft; aircraft engines; propellers.

An applicant is entitled to a type certificate for an aircraft in the normal, utility, acrobatic, commuter, or transport category, or for a manned free balloon, special class of aircraft, or an aircraft engine or propeller, if—

(a) The product qualifies under § 21.27; or

(b) The applicant submits the type design, test reports, and computations necessary to show that the product to be certificated meets the applicable